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Counsel for the Official Committee Of Equity Security Holders
 of USA Capital First Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:) BK-S-06-10725-LBR
 USA COMMERCIAL MORTGAGE COMPANY,) Chapter 11
 Debtor.)

In re:) BK-S-06-10726-LBR
 USA CAPITAL REALTY ADVISORS, LLC,) Chapter 11
 Debtor.)

In re:) BK-S-06-10727-LBR
 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,) Chapter 11
 Debtor.)

In re:) BK-S-06-10728-LBR
 USA CAPITAL FIRST TRUST DEED FUND, LLC,) Chapter 11
 Debtor.)

In re:) BK-S-06-10729-LBR
 USA SECURITIES, LLC,) Chapter 11
 Debtor.)

Affects)

☒ All Debtors)

☐ USA Commercial Mortgage Co.)

☐ USA Securities, LLC)

☐ USA Capital Realty Advisors, LLC)

☐ USA Capital Diversified Trust Deed)

☐ USA First Trust Deed Fund, LLC)

Date: November 28, 2006
 Time: 1:30 p.m.

**CERTIFICATE OF SERVICE OF DECLARATION OF SHAWN W. MILLER, ESQ. AND
 THIRD SUPPLEMENTAL STATEMENT OF DISINTERESTEDNESS IN SUPPORT OF
 APPLICATION FOR ORDER APPOINTING SHEA & CARLYON, LTD. AS SPECIAL
 (NEVADA) COUNSEL FOR THE OFFICIAL COMMITTEE OF EQUITY SECURITY
 HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC**

1 I HEREBY CERTIFY THAT I served a true and correct copy of the following
2 documents:

3 Declaration of Shawn W. Miller, Esq. and Third Supplemental Statement of
4 Disinterestedness in Support of Application for Order Appointing Shea &
5 Carlyon, Ltd. as Special (Nevada) Counsel for The Official Committee of Equity
Security Holders of USA Capital First Trust Deed Fund, LLC

6 2. I served the above named document(s) by the following means to the persons
7 as listed below:

8 ☒ a. **ECF System.** On the 1st day of December, 2006, via the ECF
9 system for the U.S Bankruptcy Court, District of Nevada. See attached Notice of Electronic
10 Filing, Exhibit A hereto.

11 ☒ b. **United States mail.** On the 4th day of December, 2006, via U.S.
12 Mail, first class delivery, postage full prepaid, to the following:

13
14 American Express Bank FSB
15 c/o Becket and Lee LLP
16 Po Box 3001
Malvern, Pa 19355-0701

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☐ **c. Personal service.**

I personally delivered the documents to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge, by leaving the document(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ **d. By direct email.**

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ e. **By fax transmission.**

Based upon the written agreement of the parties to accept serve by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. **By messenger.**

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 4th day of December, 2006.

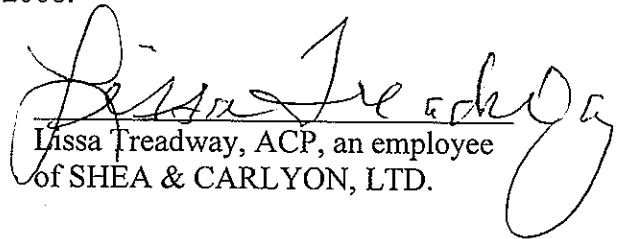

Lissa Treadway, ACP, an employee
of SHEA & CARLYON, LTD.

EXHIBIT “A”

From: USBC_NEVADA@nvb.uscourts.gov
Sent: Friday, December 01, 2006 5:24 PM
To: Courtmail@nvb.uscourts.gov
Subject: 06-10725-lbr Declaration

*****NOTE TO PUBLIC ACCESS USERS***** You may view the filed documents once without charge. To avoid later charges, download a copy of each document during this first viewing.

U.S. Bankruptcy Court

District of Nevada

Notice of Electronic Filing

The following transaction was received from CARLYON, CANDACE C entered on 12/1/2006 at 5:24 PM PST and filed on 12/1/2006

Case Name: USA COMMERCIAL MORTGAGE COMPANY

Case Number: 06-10725-lbr

Document Number: 1921

Docket Text:

Declaration of SHAWN MILLER, ESQ. and Third Supplemental Statement of Disinterestedness in Support of Application for Order Appointing SHEA & CARLYON, LTD. as Special (Nevada) Counsel for the OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC Filed by CANDACE C CARLYON on behalf of OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC (Related document(s)[386] Application to Employ, filed by Creditor Committee OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC) (CARLYON, CANDACE)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:Z:\USA Investors Committee #1500\Electronic Filing\decl of swm re employment 12-1-06.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=989277954 [Date=12/1/2006] [FileNumber=7536667-0]
[9bd86d332b82bdbfd0a60f33e64352e72363328ed9941147ecaea785c3a1bc1f77aa
a88c86f67b0e7736525cc6488aac4533730200fcdeaa7c2de94915416ef5]]

06-10725-lbr Notice will be electronically mailed to:

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12/4/2006

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06-10725-lbr Notice will not be electronically mailed to:

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